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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 DAN L. WHITNEY, JANET R. HADLEY, ) CASE NO. CO405232  
15 MARGARET A. KORNOW-BROWN, ERIC )  
16 BRELLE, ) STIPULATION AND ORDER  
17 Plaintiffs, ) EXTENDING TIME FOR  
18 vs. ) PLAINTIFFS' AND DEFENDANTS'  
19 CHARLES WURTZ, VERISCAPE, INC., ) DESIGNATION OF EXPERTS WITH  
20 RENEE TADLOCK, REGINA RYGELIS, ) REPORTS AND EXTENDING TIME  
21 WILL ARNTZ, SAM JACOB, GARY ) FOR EXPERT DISCOVERY  
22 BERKOWITZ, BRIAN ROE, and DOES 1 ) CUTOFF  
23 TO 20, inclusive, )  
24 Defendants. )  
25 AND RELATED CROSS-ACTIONS. )  
26 \_\_\_\_\_ )  
27 \_\_\_\_\_ )  
28 \_\_\_\_\_ )

STIPULATION

25 This Stipulation is entered into by and between plaintiffs, DAN L. WHITNEY, JANET R.  
26 HADLEY, MARGARET A. KORNOW-BROWN and ERIC BRELLE, and defendants, CHARLES  
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1 WURTZ, VERISCAPE, INC., REGINA RYGELIS, GARY BERKOWITZ, BRIAN ROE, RENEE  
2 TADLOCK and WILL ARNTZ, by and through their attorneys of record herein with reference to  
3 the following facts:

4 1. Pursuant to the Case Management Conference Order dated December 4, 2006,  
5 plaintiffs' designation of experts and experts' written reports were filed and served on April 13,  
6 2007. Defendants' designation of rebuttal experts and written expert reports are to be filed on April  
7 27, 2007.

8 2. Plaintiffs' expert designations and what are purported to be expert reports were fax  
9 served one day late, on April 16, 2007, because counsel was in a jury trial.

10 3. Defendants herein contend that plaintiffs' purported experts' reports do not comply  
11 with the provisions of Rule 26(2)(B) of the Federal Rules of Civil Procedure, and as a result, they  
12 are unable to properly designate experts and prepare expert reports.

13 4. In view of the foregoing, and in the interests of judicial economy, it will be in the best  
14 interest of all parties and the proceedings herein, to extend the time for filing and service of  
15 plaintiffs' and defendants' designations of experts with reports and also to extend the time for expert  
16 discovery cutoff.

17 WHEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs, DAN L.  
18 WHITNEY, JANET R. HADLEY, MARGARET KORNOW-BROWN and ERIC BRELLE and  
19 defendants, CHARLES WURTZ, VERISCAPE, INC., REGINA RYGELIS, GARY BERKOWITZ,  
20 BRIAN ROE, RENEE TADLOCK and WILL ARNTZ, by and through their counsel as follows:

21 A. Plaintiffs' designation of experts with reports in compliance with Rule 26(2)(B) shall  
22 be served and filed on or before May 11, 2007.

23 B. Defendants' designation of experts with reports in compliance with Rule 26(2)(B)  
24 shall be served and filed on or before June 1, 2007.

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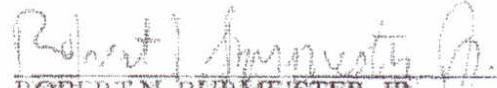
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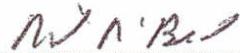
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1 C. Expert discovery cutoff shall be extended to July 20, 2007.  
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3 DATED: April 26, 2007  
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ROBERT N. BURMEISTER, JR.  
Attorney for Defendants, Veriscape, Inc.;  
Charles Wurtz; Regina Rygelis; Gary  
Berkowitz, Brian Roe and Renee Tadlock

5  
6 DATED: April 26, 2007  
7

  
DAVID R. BECK  
Attorney for Plaintiffs, Dan L. Whitney,  
Janet R. Hadley, Margaret A. Kornow-  
Brown and Eric Brelle

8  
9 DATED: April 26, 2007  
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JEFFREY S. KRAVITZ  
Attorney for Defendant, Will Arntz

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ORDER

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IT IS HEREBY ORDERED that:

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A. Plaintiffs' designation of experts with reports in compliance with Rule 26(2)(B) shall  
14 be served and filed on or before May 11, 2007.

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B. Defendants' designation of experts with reports in compliance with Rule 26(2)(B)  
16 shall be served and filed on or before June 1, 2007.

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C. Expert discovery cutoff shall be extended to July 20, 2007.

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DATED: 4/27/07

  
PATRICIA TRUMBULL  
Judge of the United States District Court

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